

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Brad Hill, Associate Justice; and Charlene Ynson, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F054114 People v. Morales

Cause called and argued by Roger Litman, Esq., counsel for appellant and by Brian Alvarez, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, Acting P.J. directs Wiseman, J. to act as Presiding Justice in his absence and leaves the bench with Hill, J.; they are replaced by Gomes, J. and Dawson, J.

F054550 Shebby v. Hirsch et al.,

Cause called and argued by Joshua Shebby, appellant in propria persona and by John M. Feser, Esq., counsel for respondent.

Cause ordered submitted.

At this point Wiseman, Acting P.J. directs Gomes, J. to act as Presiding Justice in her absence, leaves the bench and is replaced by Hill, J.

F054648 Kalmbach v. Sportsmobile West, Inc. et al.,

Cause called and argued by John J. Freni, Esq., counsel for appellant and by Timothy J. Buchanan, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, November 19, 2008 at 10:00 A.M.

F053112 People v. James

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F053112 People v. James

The judgment is affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052535 People v. Blackmon

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F052535 People v. Blackmon

The judgment is affirmed but sentence modifications ordered. Gomes, Acting P.J.

We concur: Dawson, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F051882 People v. McFearson

The convictions for assault with a firearm (245, subd. (a)(2)) (count 3) and possession of a controlled substance (Health & Saf. Code, 11377, subd. (a)) (count 7) are reversed. The convictions on the remaining counts are affirmed. The sentence is vacated and the matter is remanded for resentencing. Cornell, Acting P.J.

We concur: Gomes, J.; Dawson, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F056064 Ronald Hodge et al., v. Guarantee Real Estate et al.,

F056101 Ronald Hodge et al., v. Guarantee Real Estate et al.,

Appellant's motion to consolidate the above-entitled cases is granted.

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- F055432 In re R.H., a Minor**
The order from which R. H. appeals is affirmed. Cornell, J.
We concur: Vartabedian, Acting P.J.; Kane, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F055632 People v. Duran**
F055634 People v. Duran
Appellant's motion to consolidate the above-entitled cases is granted.
- F052195 In re Carlos Montes on Habeas Corpus**
The alternative writ previously issued is discharged . The petition for writ of habeas corpus is denied. Vartabedian, Acting P.J.
We concur: Levy, J.; Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F056311 People v. Heffington**
No response to this court's order of October 24, 2008, having been filed, the appeal in the above entitled action is dismissed as abandoned.